

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No. :	10/815,254	Confirmation No. 7457
Applicant :	Ezra Jacques Elie Eric Setton	
Filed :	March 31, 2004	
TC/A.U. :	2112	
Examiner :	Esaw T. Abraham	
Docket No. :	080398.P595	
Customer No. :	8791	

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. §1.133(b)

Sir:

An Examiner's interview was conducted on September 21, 2009 between Examiner Esaw T. Abraham and Thinh V. Nguyen, Applicant's representative at the request of Applicant's representative.

The following is a summary of the Substance of Interview in compliance with 37 C.F.R. §1.133(b) and MPEP 713.04.

(A) Brief description of the nature of any exhibit shown or any demonstration conducted:

None.

(B) Identification of the claims discussed:

Independent claims 21 and 31 were discussed.

(C) Identification of the specific prior art:

None

(D) Identification of the principal proposed amendments of a substantive nature:

Examiner Abraham indicates that the Specification should be amended to avoid the rejections based on §101.

(E) The general thrust of the principal arguments:

Examiner Abraham indicates that paragraph [0023] recites that the transmitter 120 may be a software module and therefore is software per se. Examiner Abraham further states that regarding claims 21-30, the specification recites the machine accessible medium includes a fiber optic medium, a radio frequency (RF) link, etc. and therefore is not statutory.

Applicant's representative points out that the rejected claims 21-30 recite "a machine accessible storage medium" (not just "a machine accessible medium") and therefore should be statutory because a storage medium would include storage devices such as flash memory, hard disk, etc. as described in the specification..

The Examiner indicates that paragraph [0074] in the Specification should be amended to remove references to "a fiber optic medium" and "a radio frequency (RF) link".

(F) General indication of any other pertinent matters:

None.

(G) General results or outcome of the interview, if appropriate:

The Examiner indicates that after the Specification is amended to remove the phrases "a fiber optic medium" and "a radio frequency (RF) link", claims 21-30 would be allowable.

Applicant's representative indicates that a response to the Final Office Action will be filed with the amendments to advance the application to allowance.

(H) Interview via electronic mail:

Not applicable.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: September 30, 2009

By / THINH V. NGUYEN /

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